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**Date:** 4 December 2003**To:** Examiner Bruck Kifle  
US Patent and Trademark Office  
Tel. No. 703-305-4484  
Fax: 703-308-4556**Subject:** USSN 10/014,713  
Our Ref.: Bayer 9914.2-HCL**From:** Howard C. Lee**Comments:** Filing of: response to Office Action dated 9 May 2003, including Supplemental Amendment under 37 CFR § 1.111 (2 pgs.) and Declaration by Dr. Ulrike Wachendorff-Neumann (4 pgs.)

If you have any questions or need further information, please contact us.

You should receive 7 pages including this cover sheet.

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Bayer 9914.2-HCL  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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APPLICANTS : FISCHER et al.  
SERIAL NO. : 10/014,713  
FILED : 11 December 2001  
FOR : 2-PHENYL-SUBSTITUTED HETEROCYCLIC 1,3-KETOENOLS AS  
HERBICIDES AND PESTICIDES  
ART UNIT : 1624  
EXAMINER : Bruck Kifle

**4 December 2003**

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT UNDER 37 CFR § 1.111**

SIR:

In response to the Office Action dated 9 May 2003, please amend the above-identified application as follows as stated in the "Amendments to the Specification"; "Amendments to the Claims" and "Amendments to the Drawings" sections (as applicable) in this response.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

**REMARKS**

This amendment supplements the amendment filed by the applicants on 10 November 2003 and is primarily being filed to include a signed copy of the declaration by Dr. Ulrike Wachendorff-Neumann. All amendments and arguments previously presented in the 10 November 2003 response are still valid.

**Closing**

Applicants also believe that this application is in condition for allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Respectfully submitted,

Norris, McLaughlin & Marcus, P.A.

By: Howard C. Lee  
Howard C. Lee  
Reg. No. 48,104

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New York, New York 10017  
(212) 808-0700

Attachment: Declaration by Dr. Ulrike Wachendorff-Neumann

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Amendment under 37 CFR § 1.111 is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: 4 December 2003

By: Agata Glinska  
Agata Glinska